MINUTES

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM

BOARD OF DIRECTORS

June 26, 2025

[Clerk's note: Except where noted, public, staff and board member comments are paraphrased. The full comment can be heard by reviewing the recording at the <u>MTS website</u>.]

1. Roll Call

Chair Whitburn called the Board meeting to order at 09:02 a.m. A roll call sheet listing Board member attendance is attached as Attachment A.

2. Public Comment

Silvia Irigoyen-Adame – Provided a verbal statement to the Board during the meeting. Silvia shared a tragic story of losing her daughter to a fentanyl overdose at an MTS Trolley station. She emphasized the importance of having all security guards trained in CPR and carrying Narcan, citing a lack of timely response as a critical failure in her daughter's case. She thanked Board Member John McCann for supporting her earlier requests but urged the Board to implement stronger safety measures.

William Perno – Representing SAY San Diego made a verbal statement to the Board during the meeting. William supported Adame's comments, explaining his role in opioid prevention and Narcan training. He thanked Tim Curran and Dan Brislin for training approximately 200 Inter-Con security guards under MTS contracts. He encouraged all contracted security providers to adopt similar life-saving measures.

Alex Wong – Provided a verbal statement to the Board during the meeting. Alex advocated for increasing Trolley frequency on the Mid-Coast and Green Lines to five-minute intervals. He expressed concern that the proposed airport Trolley could permanently limit frequencies to 10 minutes, which he viewed as inadequate given rising ridership projections.

CONSENT ITEMS:

3. Approval of Minutes

Action would approve the May 15, 2025 Board of Directors meeting minutes.

4. CEO Report

5. Copley Park Division (CPD) Modular Building Replacement Design-Build Bridging Documents – Sole Source Work Order Amendment

Action would 1. Ratify Sole Source Work Order WOA355-AE-44, under MTS Doc No. PWL355.0-22, with Psomas in the amount of \$123,205.20 for preliminary design services to generate program validation documents as part of the design-build bridging documents package for the replacement of the existing modular building at CPD; and 2. Authorize the Chief Executive Officer (CEO) to execute Work Order WOA355-AE-44.01 under MTS Doc No. PWL355.0-22, with Psomas, in the amount of \$357,356.64, to provide engineering design services to compile a complete package of design-build bridging documents for the replacement of the existing modular building at CPD and for preliminary submission to the City of San Diego for multi-disciplinary review and approval.

6. Purchase of Class E Cutaway Vehicles – Contract Award

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. B0782.0-25, with Model 1 Commercial Vehicles, Inc. (formerly Creative Bus Sales), for the purchase of three (3) Class E Gas Powered Cutaway Vehicles in the amount of \$845,161.05.

7. Iris Rapid Transit Center East and Bus Stops Construction Management Services (CM) – Work Order Amendment

Action would authorize the Chief Executive Officer (CEO) to execute Work Order No. WOA2498-CM19.01 under MTS Doc. No. G2498.0-21, with Kleinfelder Construction Services, Inc. (KCS), in the amount of \$605,895.93 for additional construction management services for the Iris Rapid Transit Center East and Bus Stops Construction Project.

8. California Department of Transportation (Caltrans) Program of Projects for Federal Fiscal Year (FFY) 2025 Federal Transit Administration (FTA) Section 5311 Formula Funding

approve Resolution No. 25-05 authorizing the use of and application for \$220,483.00 of FFY 2025 Section 5311 funds for operating assistance in rural areas.

9. California Department of Transportation (Caltrans) Program of Projects for Federal Fiscal Year (FFY) 2025 Federal Transit Administration (FTA) Intercity Bus Program 5311(f) - Competitive Funding

Action would approve Resolution No. 25-06, authorizing the use of and application for \$300,000.00 of FFY 2025 Section 5311(f) – Competitive funding for operating assistance in non-urbanized areas.

10. Darktrace Cybersecurity Software - Contract Amendment

Action would authorize the Chief Executive Officer (CEO) to execute Amendment No. 5 to MTS Doc. No. G2386.0-20, with Darktrace Limited (Darktrace), for Cyber Security Software Licensing in the amount of \$283,426.00 for a 12-month contract time extension.

11. Facility Roof Solar Assessments – Work Order Agreement

Action would authorize the Chief Executive Officer (CEO) to execute Work Order Amendment WOA356-AE-55 under MTS Doc No. PWL356.0-22 with Pacific Railway Enterprises, Inc. (PRE), Disadvantaged Business Enterprise (DBE), in the amount of \$219,161.44 to provide engineering services to assess the installing rooftop solar on MTS existing facilities.

12. Operations Budget Status Report for April 2025 (Gordon Meyer)

13. Beyer Boulevard Slope Improvement Construction Management (CM) and Inspection Services – Sole Source Contract Award

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. PWG438.0-25, with Accenture Infrastructure and Capital Projects, LLC ((Accenture); formerly Anser Advisory Management, LLC), for CM and inspection services for the Beyer Boulevard Slope Improvements Project in the amount of \$638,267.96.

14. NetCloud License Renewal – Contract Award

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G3048.0-

25, with GovSmart Inc., for the NetCloud License Renewals through July 10, 2028, for a total of \$682.876.92.

15. S7 Replacement Design: 12th and Imperial and Blue Line Project – Funds Transfer

Action would authorize the transfer of Transportation Development Act (TDA) funding in the amount of \$2,500,000.00 from the Wheel Sensor Device (WSD) & SICAS S7 Replacement: Broadway Wye and India Crossover Project (CIP 2005114501) to the S7 Replacement Design: 12th and Imperial and Blue Line Project (CIP 2005118801).

16. Bus Tire Lease and Services – Contract Award

Action would authorize the Chief Executive Officer (CEO) to 1. Execute MTS Doc. No. B0780.0-25 with Michelin North America, Inc. (Michelin) for Bus Tire Lease and Services for a five (5) year base period with two (2) 1-year options, and an estimated run-out period of up to three(3) years for a total of \$14,078,962.82; and 2. Exercise the option years at the CEO's discretion.

17. Uninterruptible Power Supply (UPS) On-Site Maintenance Support Services – Sole Source Contract Award

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G3075.0-25 with Schneider Electric IT Corporation (Schneider), on a sole source basis, for the provision of on-site UPS maintenance support services for a period of five (5) years in the amount of \$1,073,264.20.

18. The San Diego Metropolitan Transit System (MTS) Board Policy No. 13 Conflict of Interest Regarding Service Contracts – Policy Revision Action would adopt the proposed revisions to MTS Board Policy No. 13 Conflict of Interest

Regarding Service Contracts.

19. Appointment of Vice Chair for 2025 Public Security Committee

Action would approve the appointment of Board Member Patricia Dillard as the Vice Chair for the Public Security Committee for 2025.

20. Beyer Boulevard Trolley Station Transit-Oriented Development – Amendment to Disposition and Development Agreement

Action would authorize the Chief Executive Officer (CEO) to 1. Execute an Amendment to the Disposition and Development Agreement (Amended DDA) with Beyer Family Housing L.P. for a Beyer Boulevard Trolley Station Transit Oriented Development Project, MTS Doc. No. G2589.1-22 and 2. Take all actions necessary to fulfill MTS's obligations under the Amended DDA, including, but not limited to, executing a Ground Lease and related regulatory agreements for each project phase.

21. Donation of Buses That Have Exceeded Minimum Useful Life to Los Angeles Metropolitan Transportation Authority (LA Metro) – Agreement Approval (2/3 Vote Required)

Action would authorize the Chief Executive Officer (CEO) to negotiated and execute MTS Doc. No. B0783.0-25 for the donation of up to 53 buses to LA Metro in advance of the 2028 Summer Olympic and Paralympic Games (2028 Summer Olympics).

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22. Disbursement of Chula Vista Billboard Reserve Fund – Fund Transfer

Action would approve the disbursement of \$2,700,000.00 to the City of Chula Vista for the Chula Vista Bayfront Shuttle Service (Shuttle) pursuant to the "Agreement Between the City of Chula Vista and the Metropolitan Transit Development Board for Continuation of the Chula Vista Billboard Reserve Fund and Expenditure of Revenues within the Fund" (Billboard Reserve Agreement) (MTDB Doc. No. S200-00-102).

23. South Bay Maintenance Facility (SBMF) Zero Emission Bus (ZEB) Backup Power Project– Contract Award

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. PWB437.0-25, with G A Abell, Inc. dba Precision Electric Co., for the SBMF ZEB Backup Power Construction Project in the amount of \$6,734,024.00 plus 10% contingency.

Public Comment

There were no Public Comments.

Board Comment

There were no Board Comments.

Action Taken

Board Member McCann moved to approve Consent Agenda Item Nos. 3 to 22. Vice Chair Goble seconded the motion, and the vote was 11 to 0 in favor with Board Member Mendoza, Board Member Bush, Board Member Elo-Rivera and Board Member Vaus absent.

Vice Chair Goble moved to approve Consent Agenda Item No. 23. Board Member Montgomery Steppe seconded the motion, and the vote was 10 to 0 in favor with Board Member Mendoza, Board Member Bush, Board Member Elo-Rivera and Board Member Vaus absent and Board Member Leyba-Gonzalez recusing himself.

DISCUSSION ITEMS:

24. Semiannual Uniform Report of Disadvantaged Business Enterprise (DBE) Awards and Payments (Samantha Leslie)

Samantha Leslie, MTS Deputy General Counsel, presented on Semiannual Uniform Report of DBE Awards and Payments. She presented on: DBE Program, DBE Semi-Annual Report, and MTS's Outreach Event on July 9th.

Public Comment

There were no Public Comments.

Board Comment

Board Member Montgomery Steppe expressed appreciation for the report and the planned outreach. She emphasized the importance of providing technical assistance to DBEs and building long-term capacity.

Action Taken

No action taken. Informational item only.

25. Transit Operations Insourcing Feasibility Study – Task 2 – Operational and Administrative Concept Plan (James Gerken and Russ Chisholm with Transportation Management Design (TMD), Inc. and Mike Daney)

Mike Wygant, MTS Chief Operations Officer - Bus, Mike Daney, MTS Director of Contract Services, James Gerken and Russ Chisholm with TMD, presented on Transit Operations Insourcing Feasibility Study – Task 2 – Operational and Administrative Concept Plan. They outlined: Project Overview, Service and Performance Comparison, Operational and Administrative Concepts, Staffing Concepts, Employee Wage Differences, Bargaining Units, Bargaining Unit Concepts, HR/Training, Capital Assets and Procurement, Legal and Risk Management, Finance and Accounting and Technology, Operations, Maintenance, MTS Board Updates, and next steps.

Public Comment

There were no Public Comments.

Board Comment

Vice Chair Goble inquired about potential land and facility needs due to expansion. Mr. Wygant responded that while MTS owned most of the relevant infrastructure, administrative space might be a limiting factor.

Board Member Fleming asked if the impacts on senior leadership and higher-level management were considered. Mr. Wygant confirmed that these considerations were included in the staffing analysis.

Board Member Montgomery Steppe referenced the previous workers' strike as a major risk event and urged the Board to include it in their risk analysis when considering insourcing as a way to prevent future service disruptions.

Action Taken

No action taken. Informational item only.

26. Zero Emission Bus (ZEB) Program and Transition Plan Update (Mike Wygant and Jarrett Valdez)

Mike Wygant, MTS Chief Operations Officer - Bus, and Jarret Valdez MTS Zero Emission Vehicle (ZEV) and Sustainability Manager, presented on the ZEB Program and Transition Plan Update. They provided details on: Policy History, MTS ZEB Pilot Program, MTS Transition, ZEB Deployment, Imperial Avenue Division, Kearny Mesa and East County, Other Developments, ZEB Program Performance Report, Monthly Fleet Efficiency (total miles), Avg. Efficiency by Route (revenue miles), CNG vs. ZEB Monthly Mileage/Bus, Efficiency Summary, CNG vs. Zeb Fuel Maintenance, Monthly ZEB kWh Consumption and Energy Bill Cost, Availability, Block Limitations, Funding Received, Funding Requests and Opportunities, ZEB Program Cost Summary for Transition, Upcoming Fiscal Challenges, Detail of Modifications to Purchase Plan, 25% Early Adoption Pathway, Lessons Learned, and Final Summary (recap).

Public Comment

There were no Public Comments.

Board Comment

Board Member Elo-Rivera asked about MTS's partnership with San Diego Community Power (SDCP). Mike Thompson, MTS Deputy Chief Financial Officer (CFO), explained that MTS purchases its electricity through a competitively bid third party and does not procure power from SDCP. Board Member Elo-Rivera clarified he was more interested in infrastructure and behind-the-meter project collaborations rather than power purchasing. He strongly encouraged outreach to SDCP, citing their technical capabilities and potential partnerships that could help MTS overcome current infrastructure and funding challenges. He emphasized that MTS-owned property might also have value for power production and should be explored in collaboration with SDCP.

Board Member Moreno thanked staff for the presentation and acknowledged MTS's longstanding commitment to a zero-emission fleet. She remarked on the shifting viability of hydrogen and highlighted the importance of state and federal support. She asked how the range of electric buses compared to CNG. Mr. Wygant explained that electric buses typically run 130–135 miles per day, while CNG buses could reach 400–500 miles, especially on high-mileage routes like Route 235. He noted the next-generation electric buses were expected to reach up to 170 miles, and hydrogen buses typically ranged between 220–275 miles. He also explained the limitations of non–one-for-one replacements (e.g., requiring multiple ZEBs to replace a single CNG bus to perform the same route assignment) due to route complexity and bus storage concerns.

Vice Chair Goble asked about the weight difference between battery-electric and CNG buses. Mike Wygant responded that electric buses could weigh 5,000–8,000 pounds more and explained that axle weight was a regulatory limitation. He noted that the industry had worked to raise these limits. Vice Chair Goble also asked whether weight impacted road wear and vehicle stopping distance. Mr. Wygant acknowledged the effect on road wear, especially near frequent stops, and the braking systems had been redesigned to meet safety standards. He confirmed that driver training and monitoring were in place and saw no trend of electric vehicles causing additional hard braking incidents. He also confirmed that both MTS and contracted Transdev employees operated electric buses.

Board Member Bush emphasized the importance of considering public health impacts alongside financial costs. He asked whether health savings from reduced tailpipe emissions—especially particulate matter—were factored into reports. Mr. Wygant explained that while greenhouse gas and particulate reductions were well-documented, converting them into quantifiable health savings was more complex. He said staff were working with consultants to include this in future reports and welcomed a connection with relevant experts from the Air Pollution Control District. Board Member Bush supported further collaboration with SDCP and highlighted the need to communicate health benefits to the community.

Board Member Fleming asked about battery disposal practices for electric buses. Mr. Wygant said that so far, all replacements have been handled under OEM warranties. He explained that while MTS does not manage end-of-life disposal directly, there are third-party companies that repurpose or salvage battery components. He added that MTS will follow approved hazardous waste processes if needed in the future.

Action Taken

No action taken. Informational item only.

27. Revisions to MTS Board Policy 21, "MTS Revenue-Generating Display Advertising, Concessions, and Merchandise" (Mark Olson)

Mark Olson, MTS Director Marketing and Communications, presented on Revisions to MTS Board Policy 21, "MTS Revenue-Generating Display Advertising, Concessions, and Merchandise". He discussed: the background on MTS Board Policy 21, Ad Policy Pilot Direction, Pilot Results – System Advertising, City of San Diego MOU, and Disadvantaged Communities Tracking, and staff's recommendation.

Public Comment

There were no Public Comments.

Board Comment

Board Member Foster expressed concerns about the claim that alcohol advertisements had "no disproportionate impact." He questioned the method used to assess this, citing community dynamics and higher concentrations of liquor stores in economically disadvantaged neighborhoods. He supported revenue generation but urged more consultation with experts, such as the County of San Diego Behavioral Health Services, to better understand the social impacts of such advertising.

Karen Landers, MTS General Counsel, responded to Board Member Foster's concerns by clarifying that the Board's policy direction was understood to prohibit the concentration of alcohol advertisements in disadvantaged communities. She explained that referencing "5 out of 60" advertising placements was meant to illustrate that the ads had been evenly distributed and were not disproportionately targeting any one area. She acknowledged the need for clearer directions going forward, whether in legal terms or plain language, so staff could ensure the Board's intent was correctly implemented. She requested additional guidance on how to measure and track disproportionate impact more effectively.

Board Member Dillard suggested that MTS explore advertising partnerships with companies offering non-alcoholic alternatives, given the growing market for these products. She believed such outreach could enhance revenue while aligning with public health goals.

Board Member Fleming expressed strong reservations about the policy, worrying it could lead to further controversial advertising like cannabis. He cited the low revenue generated and questioned whether the expansion of such ads was worthwhile. CEO Cooney responded that cannabis is currently illegal under federal law, which restricts MTS's ability to promote it through advertising on federally funded assets.

Board Member Fernandez supported revenue generation but raised issues about community input. He referred to complaints from constituents about controversial billboard ads and suggested that community stakeholders and public health organizations should have been consulted. He also questioned whether ridership patterns were being considered in evaluating impact.

Board Member Bush supported making the policy permanent and offered a motion to approve it. He proposed that staff return with improved metrics to measure impact, including consultations with the County Health and Human Services Agency. He emphasized using better geographic and behavioral data to assess any correlation between advertising and health outcomes. Vice Chair Goble seconded the motion and supported integrating traffic counts and ridership data into the analysis to better assess ad exposure and community impact.

Board Member Elo-Rivera appreciated the motion and the effort to balance revenue generation with community values. He acknowledged the Board's role in directing staff to explore this revenue source and encouraged continued monitoring and thoughtful implementation.

Board Member Foster requested clarification on how future findings would be presented to the Board. He questioned the cost-benefit of continuing the advertising policy, given the modest \$30,000 revenue for MTS and the potential need for additional staff resources.

Mr. Olson clarified that while the pilot program generated roughly \$66,000 (with MTS receiving 55%), the initial revenue estimate had been \$200,000 annually. He noted that it might take time to reach that level due to advertising cycles.

Board Member Fleming reiterated his opposition, citing the low return and high effort required. He questioned the wisdom of continuing to allocate resources to this policy.

Board Member Dillard countered that the program was still new, and advertisers might not yet have had the opportunity to include it in their budgets. She urged patience and noted from her advertising sales experience that ad revenues typically grow over time if nurtured properly.

Action Taken

Board Member Bush moved to conclude the alcohol advertising pilot period and make permanent the revisions to MTS Board Policy No. 21, "MTS Revenue-Generating Display Advertising, Concessions and Merchandise" approved on June 15, 2023, and for staff to return to the Board as soon as possible on how best to evaluate the potential disproportionate impacts of alcohol advertising including consultation with the San Diego County Department of Health and Human Services. Vice Chair Goble seconded the motion, and the vote was 9 in favor (Board Member: Fernandez, Koval, Bush, Leyba-Gonzalez, Dillard, Elo-Rivera, Whitburn, Goble and Moreno) to 4 opposed (Foster, McCann, Fleming, Montgomery Steppe) with Board Member Mendoza, and Board Member Vaus absent.

OTHER ITEMS:

28. Chair, Board Member and Chief Executive Officer's (CEO's) Communications

Board Member Leyba-Gonzalez representing Imperial Beach, addressed the Board regarding concerns from his community. He noted that MTS had recently begun construction on four new bus stop shelters at various locations, including Dahlia Avenue and Seacoast Drive, Pier Plaza, in front of City Hall, and 13th and IB Boulevard. While he acknowledged that the finished shelters would likely be appreciated by residents, he relayed complaints from small business owners, particularly near the Dahlia and Seacoast stop. These businesses reported that temporary fencing had obstructed visibility and negatively impacted customer traffic—especially during the crucial summer season.

He emphasized that while communication between MTS staff and Imperial Beach city staff, particularly with Beverly Neff, had been excellent, initial outreach to affected businesses had been insufficient. Given the existing challenges Imperial Beach faces due to ongoing water quality issues, he urged MTS to conduct more proactive outreach when future construction projects may impact small businesses. He concluded by expressing appreciation and reaffirmed his role as a voice for his city's residents.

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29. Remainder of Public Comments Not on The Agenda

There were no additional public comments.

CLOSED SESSION:

The Board convened to Closed Session at 11:26 a.m.

30. Closed Session - Conference with Labor Negotiators Pursuant to California Government Code Section 54957.6

Agency: San Diego Trolley, Inc. ("SDTI") Employee Organization: International Brotherhood of Electrical Workers, Local 465 ("IBEW") (Construction Safety Flagpersons) Agency- Designated Representative: Jeffrey M. Stumbo, Chief Human Resources Officer (EEO Officer)

31. Closed Session - Public Employee Performance Evaluation/ Conference with Labor Negotiators – Chief Executive Officer Pursuant to California Government Code Sections 54957 and 54957.6;

Agency-Designated Representative: Stephen Whitburn, Chair Employee: Sharon Cooney, CEO

Closed Session Reconvening

The Board reconvened the Open Session at 11:41 a.m.

Karen Landers, General Counsel, reported the following oral report of final actions taken in Closed Session:

- 30. The Board ratified a tentative agreement that had been reached on May 16, 2025 and ratified by the IBEW membership on May 28, 2025, by a vote of 10 members in favor (Dillard, Fleming, Elo-Rivera, Foster, Goble, Koval, McCann, Montgomery Steppe, Moreno and Whitburn) and 5 members absent (Bush, Vaus, Mendoza, Fernandez, and Leyba-Gonzalez).
- 31. The Board deferred this item to the July 17, 2025, Board meeting.

ADJOURNMENT

32. Next Meeting Date

The next regularly scheduled Board meeting is July 17, 2025 at 9:00 a.m.

33. Adjournment

The meeting was adjourned at 11:42 a.m.

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> /s/ Stephen Whitburn Chairperson San Diego Metropolitan Transit System

Filed by:

Approved as to form:

/s/ Lucia Mansour Clerk of the Board San Diego Metropolitan Transit System

Attachment: A. Roll Call Sheet

/s/ Karen Landers

General Counsel San Diego Metropolitan Transit System

SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS ROLL CALL

MEETING OF (DATE):	June 26, 2025	CALL TO ORDER (TIME):		9:02 a.m.
RECESS:		RECONVENE:		
CLOSED SESSION:	11:26 a.m.	RECONVENE:	11:41 a.m.	
PUBLIC HEARING:		RECONVENE:		
ORDINANCES ADOPTED:		ADJOURN:	11:42 a.m.	

JURISDICTION	BOARD MEMBER		ALTERNATE		PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
City of Chula Vista	Cesar Fernandez	\boxtimes	Jose Preciado		9:07 a.m.	11:26 a.m.
City of Chula Vista	John McCann	\boxtimes	Preciado		9:02 a.m.	11:42 a.m.
City of Coronado	Carrie Downey		Mark Fleming		9:02 a.m.	11:42 a.m.
County of San Diego	Monica Montgomery Steppe		VACANT		9:02 a.m.	11:42 a.m.
City of El Cajon	Steve Goble (Vice-Chair)	\boxtimes	Phil Ortiz		9:02 a.m.	11:42 a.m.
City of Imperial Beach	Matthew Leyba- Gonzalez	\boxtimes	Paloma Aguirre		9:02 a.m.	11:26 a.m.
City of La Mesa	Patricia Dillard	\boxtimes	Mark Arapostathis		9:02 a.m.	11:42 a.m.
City of Lemon Grove	Jennifer Mendoza		Faiai		Absent	Absent
City of National City	Marcus Bush		Jose Rodriguez		9:29 a.m.	11:26 a.m.
City of Poway	Steve Vaus		Peter De Hoff		Absent	Absent
City of San Diego	Vivian Moreno	\boxtimes	Jennifer Campbell		9:02 a.m.	11:42 a.m.
City of San Diego	Sean Elo-Rivera	\boxtimes	Joe LaCava		9:15 a.m.	11:42 a.m.
City of San Diego	Todd Gloria		Henry Foster		9:02 a.m.	11:42 a.m.
City of San Diego	Stephen Whitburn (Chair)	\boxtimes	Kent Lee		9:02 a.m.	11:42 a.m.
City of Santee	Ronn Hall		Laura Koval John Minto		9:02 a.m.	11:42 a.m.

SIGNED BY THE CLERK OF THE BOARD: /s/ Lucia Mansour